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### Remarks/Arguments

Claims 1, 10, 11, and 19-24 are pending in this application. Of these claims, claims 1, 10, 11, 20, 22 and 24 have been amended. These amendments do not add new matter to the application. Claims 19, 21, and 23 have been cancelled. For at least the reasons stated below, Applicants assert that all claims are in condition for allowance.

#### 1. Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1, 10-11 and 19-24 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by *Bergh et al.*, U.S. Patent No. 6,112,186.

Applicants oppose this rejection and assert that *Bergh* fails to disclose or suggest every element of every claim as amended. The invention, as presently claimed in independent claims 1, 10, and 11, provides for reporting personalized rating information, including the following elements:

- providing a database that stores a plurality of user profiles corresponding to a plurality of users, wherein each user profile comprises a set of personal information data;
- wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service; wherein the product/service rating data is stored in the user profiles in the database corresponding to the first subset of users;
- receiving from a requesting user a request for rating information for a desired product/service, wherein the requesting user is one of the plurality of users;
- identifying a first set of user profiles, wherein each of the users associated with the first set of user profiles has previously submitted product/service rating data for the desired product/service;
- mapping the personal information data in the first set of user profiles along multiple dimensions to the personal information data in the user profile of the requesting user;
- filtering the first set of user profiles to create a second set of user profiles, wherein the second set of user profiles includes a predetermined number of user profiles, such that the second set of user profiles includes those profiles that most closely mapped to the user profile of the requesting user along multiple dimensions;

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determining whether the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a predetermined conformity requirement;

repeating the filtering and determining steps if the second set of user profiles is not determined to be sufficiently similar to the user profile of the requesting user, wherein the predetermined conformity requirement is relaxed;

creating a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and

reporting the set of rating information to the requesting user.

Because not every element of every claim is taught by the cited reference, Applicant asserts that the Examiner's § 102 rejections are unsupported by the art and should be withdrawn.

#### Create a Second Set of User Profiles

*Bergh* fails to disclose, expressly or inherently, the creation of a second set of user profiles, as claimed by Applicants. Specifically, the present invention provides for a method for reporting personalized rating information. A user that desires rating information on a product or service may request a personalized report. Based on the requesting user's profile and the user profiles of other users who have rated the product or service, personalized rating information is generated and reported. Specifically, the user profiles are compared and analyzed for similarity based on multiple dimensions.

A more thorough description of generating the personalized rating information is disclosed. First, all of the profiles of the users who previously rated the requested product or service and that meet a minimum threshold of similarity to the requesting user's profile are aggregated:

for example, when the user requests a product report 1610 for product X, the algorithm retrieves the profiles 1620 from the profile database 1630 (which includes product ratings) of those users who have previously rated that product. Then the system retrieves the default thresholds 1640 for the profile matching algorithm from the content database

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1650. It then maps all of the short list of users along several dimensions specified in the profile matching algorithm 1660. See, Specification, p. 76, ln. 1-16; see also Fig. 16.

Next, the aggregated user profiles are tested for similarity with the requesting user's profile and then refined until specific requirements are satisfied:

The top *n*, specified previously as a threshold variable, nearest neighbors are then determined and a test is performed to decide if they are within distance *y* (also specified previously as a threshold variable) of the user's profile in the set 1670 using the results from the profile matching algorithm. If they are not within the threshold, then the threshold variables are relaxed 1680, and the test is run again. This processing is repeated until the test returns true. The product ratings from the smaller set of *n* nearest neighbors are then used to determine a number of product statistics 1690 along several dimensions. Those statistics are inserted into a product report template 1695 and returned to the user 1697 as a product report. Id.

Applicants concur with the statement on page 3, line 10 of the outstanding Office Action, "Bergh teaches that the first set of user profiles retrieved are profiles of users that have submitted rating data for a product or service." However, *Bergh* fails to disclose, expressly or inherently, the creation of a second set of user profiles.

The above-identified aspects of the present invention are specifically claimed in independent claims 1, 10, and 11. The independent claims require that the first set of user profiles be filtered into a second set of user profiles, such that the second set contains only a limited number of user profiles. In particular, the second set of user profiles may only include "a predetermined number of user profiles." By so limiting the second set of user profiles—which will ultimately be used to create personalized rating information—the present invention ensures a certain level of similarity between the requesting user and the users on which the rating information is based. Nowhere does *Bergh*, disclose filtering a first set of user profiles into a second set of user profiles including a predetermined number of user profiles. Accordingly, all limitations of the claims are not disclosed, inherently or expressly, in *Bergh* as claimed by Applicants.

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Testing the Second Set of User Profiles for Sufficiently Similarity to Requesting User Profile

*Bergh* discloses a confidence factor to select the first set of profile users that have a certain level of similarity. However, nowhere does *Bergh* disclose repeating the filtering of the user profiles to create a second set of profiles.

Applicants' claims further require determining whether the second set of user profiles are sufficiently similar to the requesting user's profile. Specifically, the present invention claims determining whether "the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a predetermined conformity requirement." (emphasis added) Moreover, this step is distinct from the step of filtering the first set of user profiles into a set of users that successfully mapped to the requesting user. While the filtering step creates a cutoff, selecting only a limited number of users that most closely match the requesting user, the determining step ascertains whether filtered set of users sufficiently conforms with the requesting user. This is not the same as the similarity factor of *Bergh*. The similarity factor is a step involved in the creation of the first and only set of user profiles. There is not further filtering of the set of user profiles to create a second set of user profiles based on any criteria.

Nowhere does the art of record, including *Bergh*, disclose determining whether the filtered second set of users satisfies a predetermined conformity requirement. Further, the art of record does not teach two distinct steps: filtering and determining. Accordingly, the cited references have not disclosed the invention in complete detail as the claimed in the present invention.

Relaxing the Predetermined Requirements

*Bergh* discloses a confidence factor to select the first set of profile users that have a certain level of similarity. However, nowhere does *Bergh* disclose the ability to create a second set of profiles wherein the predetermined conformity requirement may be relaxed. Applicants' invention, as claimed, manages the scenario wherein the second set of user profiles are not determined to be sufficiently similar to the requesting user's profile. Specifically, the predetermined requirements are relaxed and the first set of user profiles are re-filtered. The re-filtered set of user profiles are tested again for satisfying the conformity requirement. This process is repeated until the conformity requirement is satisfied.

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The claims require repeating the filtering and determining steps with a relaxed conformity requirement. Accordingly, there is a greater likelihood that the requirement will be met. Further, the claims require repeating the filtering and determining steps with a reduced predetermined number of user profiles. This also creates a greater likelihood that the conformity requirement will be met.

Nowhere does the art of record, including *Bergh*, disclose relaxing these predetermined requirements in order to successfully create a second set of user profiles upon which the personalized rating information is based. Moreover, *Bergh* fails to disclose reducing the number of predetermined user profiles. The outstanding Office Action, on page 3, directs Applicants to col. 11, lines 5-15 and col. 7, lines 35-55 of *Bergh* for disclosure of relaxing the conformity requirement. However, there is no disclosure, expressly or inherently, there or anywhere in *Bergh* of relaxing and re-filtering. What that section of *Bergh* discloses is that a larger pool of users may be explored in creating the user profile if an insufficient number of users in the given user's neighborhood have rating a particular item. This is not relaxing the conformity requirement and re-filter/repeating the creation of a second set of user profiles, as claimed by Applicants. *Bergh* discloses the step of expanding the search outside of the predetermined search area prior to creating the first set of user profiles. Accordingly, *Bergh* fails to disclose all of the limitations of Applicants' claims.

#### The Art of Record Does Not Teach the Present Invention

For at least the reasons stated above, the cited reference clearly fails to disclose the "identical invention" and "every element" of Applicant's independent claims 1, 10, and 11. Accordingly, Applicant respectfully requests that the Examiner's 35 U.S.C. § 102 rejection as to these claims be withdrawn. Further, because the cited reference fails to describe, expressly or inherently, each and every element as set forth in independent claims 1, 10, and 11, the reference also fails to describe each and every element set forth in claims 19-24, which depend upon the independent claims.

Furthermore, Applicants assert that it would be unobvious to one of ordinary skill in the art to modify *Bergh* to provide the invention claimed by Applicants.

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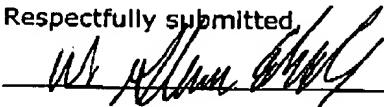
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## 2. Conclusion

For at least the reasons stated above, Applicant submits that all pending claims are now allowable over the art of record and respectfully requests reconsideration and the rejections be withdrawn. Applicants request that a Notice of Allowance be issued in this case. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the undersigned can be reached at the telephone number listed below.

Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference #60021-302901).

Respectfully submitted

  
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